

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

**FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver For
TierOne Bank,**

Plaintiff,

v.

**RICK D. LANGE, as Chapter 7 Trustee
of the Bankruptcy Estate of TierOne
Corporation,**

Intervenor,

v.

**GILBERT G. LUNDSTROM; DAVID
L. HARTMAN; JAMES A. LAPHEN;
RANDALL B. KIDD; DELMAR E.
WILLIAMS; CHARLES W.
HOSKINS; CAMPBELL R.
MCCONNELL; and ANN L. SPENCE,**

Defendants.

Case No. 8:13-CV-168

**SECOND STIPULATION TO EXTEND TIME TO FILE COMPLAINT IN
INTERVENTION**

Intervenor Rick D. Lange as Chapter 7 Trustee of the Bankruptcy Estate of TierOne Corporation (the “Trustee”) and Plaintiff FDIC-R hereby stipulate to extend the

time for the Trustee to file his Complaint in Intervention an additional 30 days, up to and including January 10, 2014.

Good cause exists for this extension. The Trustee, Defendant Directors and Officers, and the FDIC-R are currently engaged in meaningful settlement negotiations that if successful would resolve all pending claims in this matter. Moreover, the Parties desire to advise the Court of these ongoing and productive negotiations in order to allow the Court to avoid unnecessary work on pending matters in this case.

In the interest of judicial economy, the Trustee and FDIC-R hereby respectfully request that this Court grant the Trustee and FDIC-R's stipulation to extend the time for Trustee to file its complaint in intervention an additional thirty (30) days to and including January 10, 2014.

DATED this 9th day of December, 2013.

/s/ Richard R. Thomas
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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December, 2013, I caused the above document to be filed in the CM/ECF system which gave notification electronically upon all parties who filed an appearance or requested notice by electronic filing in this case, and I hereby certify that I have emailed the document to the following non-CM/ECF participants:

None.

/s/ Richard R. Thomas
Richard R. Thomas, AZ Bar No. 010484